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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/777,630	02/13/2004	James A. DiCarlo	61011.00006	1837

7590 07/17/2008
Squire, Sanders & Dempsey LLP
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8000 Towers Creseent Drive
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EXAMINER

LOPEZ, CARLOS N

ART UNIT	PAPER NUMBER
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1791

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

APPENDIX A

Applicant's arguments filed 6/17/08 have been fully considered but they are not persuasive. Applicant first argues that the final rejection was improper because it failed to address the limitations of claim 4. Claim 4 requires that "the in-situ grown coating on each carbon fiber surface has a carbon-rich composition." However, the limitation that the fibers have a carbon rich composition is address at lines 5-6 in page 3 in both the non-final rejections and the final rejection.

Applicant also argues that the there is support for the claim 33 and cites paragraphs 55 and 53 of the specification. However, none of the paragraphs disclose the claimed combination of both providing an after treatment and a providing an external pressure.

While applicant is correct in pointing out that there is a strong presumption that an adequate written description of the claim invention is presented when the application is filed, that standard applies to original filed claims as set forth by applicant cited section of the MPEP. However, a reading of the next section that is right below applicant's cited section, namely MPE 2163 (I) B, the standard set forth is not the alleged "strong presumption" but rather if the newly amended claim is expressly, implicitly, or inherently supported in the originally filed specification. In the instant case, the specification provides none; specifically the claimed combination of external pressure and coating after the heat treatment.

Applicant also argues that DiCarlo discloses a woven fabric but fails to disclose the claimed "architectural preform" having a "continuous-length." Claim 3 specifically requires an architectural preform being at least one of a finite section of continuous-length multi fiber tow, or a "two dimensional textile formed fabric". A broad reasonable interpretation of the phrase

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"two dimensional textile formed fabric" is deemed as a woven fabric as disclosed and pointed out by applicant. Hence, DiCarlo does disclose an "architectural preform."

Applicant finally argues that DiCarlo only treats the fibers and not the "architectural preform" and cites the last full paragraph of page 2. However, the first line of the paragraph preceding applicant's cited paragraph, it specifically states that the "the fibers that have been heat treated are subsequently woven into cloth performs or **are heat treated in cloth form.**" Hence, applicant's argument that the cited DiCarlo NPL fails to teach that "architectural preform" is not heat treat is found unpersuasive.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carlos Lopez whose telephone number is 571.272.1193. The examiner can normally be reached on Mon.-Fri. 8am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven Griffin can be reached on 571.272.1189. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/Carlos Lopez/
Primary Examiner
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